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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 BRIAN MOEN,

11 Plaintiff,

No. CIV S-02-1237 GEB KJM P

12 vs.

13 CHERYL PLILER, Warden, et al.,

14 Defendants.

FINDINGS & RECOMMENDATIONS

15 _____/
16 By an order filed March 26, 2003, this court ordered plaintiff to submit materials
17 for service of process. Plaintiff has not responded in any way to the court's order.

18 IT IS HEREBY RECOMMENDED that this action be dismissed without
19 prejudice. See Fed. R. Civ. P. 41(b).

20 These findings and recommendations will be submitted to the United States
21 District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within
22 twenty days after being served with these findings and recommendations, plaintiff may file
23 written objections with the court. The document should be captioned "Objections to Findings

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1 and Recommendations.” Plaintiff is advised that failure to file objections within the specified
2 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153
3 (9th Cir. 1991).

4 DATED: June 29, 2005.

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8 UNITED STATES MAGISTRATE JUDGE
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